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ZNY CCCCC ZZH
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FM AMEMBASSY RIYADH
TO RUEHC/SECSTATE WASHDC 3356
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE
RUEHJZ/HUMAN RIGHTS COUNCIL COLLECTIVE
RUCNISL/ISLAMIC COLLECTIVE
RUEHJI/AMCONSUL JEDDAH 7950

C O N F I D E N T I A L SECTION 01 OF 04 RIYADH 008840

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C O N F I D E N T I A L

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DEPT FOR NEA/ARPI (BSHUKAN, RJACHIM, SWALKER), DRL
(RCASTEEL), DRL/IRF (HANFORD, LISTON, LURIE), DRL/NESCA
(OZKAN), DRL/MLGA (NOYES)

E.O. 12958: DECL: 11/12/2016

TAGS: [PHUM](#) [PGOV](#) [KDEM](#) [OTRA](#) [PINR](#) [SA](#)

SUBJECT: DRL DAS BARKS-RUGGLES MEETING WITH SAUDI MFA, MOJ,
AND MAJLIS AL-SHOURA

REF: A. SECSTATE 132890

[1](#)B. SECSTATE 142007

Classified By: Deputy Chief of Mission Michael Gfoeller for reasons 1.4
(b) and (d).

SUMMARY

[1](#)1. (C) Bureau of Democracy, Human Rights, and Labor (DRL) Deputy Assistant Secretary (DAS) Erica Barks-Ruggles met on September 12-13 with the Majlis Al-Shoura (MAS) and the Ministries of Foreign Affairs (MFA) and Justice (MoJ). These meetings were follow-up to the July 25 - 27, 2006, meeting of the Strategic Dialogue's Human Development working group (reftels). Both the MAS and MoJ welcomed technical assistance from and increased exchanges with the U.S. MFA and MoJ urged the USG to provide lessons learned and technical assistance on domestic abuse. DAS Barks-Ruggles encouraged the SAG to support the U.S. in improving the UN Human Rights Council, noting that the two special sessions and the actions of certain members and observers were not helpful. MFA officials complained that the KSA should be listed as a Tier 2 country for trafficking in persons (TIP), not Tier 3. DAS Barks-Ruggles urged the SAG to demonstrate greater progress in fighting TIP by prosecuting violators. She expressed USG appreciation for SAG efforts at the UAE Compact Meeting on Iraq and the meeting in New York City. MFA officials complained that the annual Human Rights Report does not include information provided by the SAG. END
SUMMARY.

MAJLIS AL-SHURA (MAS)

[1](#)2. (SBU) On September 13, 2006, DAS Barks-Ruggles met with MAS members Dr. Abdulrahman Al-Barak and Dr. Adnan Wazan. Wazan is a member of the Islamic Affairs and Human Rights Committee, and Al-Barak is the Vice Chairman of the Regulations, Administration, and Petitions Committee and a member of the Special Committee to Upgrade Work Procedures. The Special Committee regulates how the MAS functions, as well as how it communicates with Saudi citizens. The Regulations, Administration, and Petitions Committee reviews and responds to all petitions. This Committee decides what

action should be taken on petitions and follows-up on those actions.

13. (C) Al-Barak explained that the King has increased the size of the MAS every four years. In 1992, the MAS began with 60 members, subsequently growing to the current 150 members. He stressed that the MAS has accomplished much in the last 14 years. Al-Barak said the MAS has 11 committees that review laws submitted by the ministries before those laws are submitted to the King for his approval. Al-Barak said any MAS member can propose a topic for discussion, whereas in the past, ten members were needed to do so and the King had to approve the proposal. He stressed that the MAS is now able to discuss any law or issue and studies them very carefully, including as they relate to the human rights of citizens and non-citizens.

14. (C) Dr. Wazan said the SAG has a good process for publicizing human rights, pointing out that there are "minor" differences between Shari'a and the International Human Rights Declaration. However, he said many people in the KSA, citizens and non-citizens, are unaware of Saudi laws. Wazan stressed that laws should reflect Islam, not customs and traditions. Dr. Wazan presented the encyclopedia on human rights he wrote to DAS Barks-Ruggles, explaining that this eight volume encyclopedia discusses Islam and human rights. The encyclopedia covers topics such as the religious police, polygamy, veiling of women, globalization and Islam, terrorism, and the history and development of the Saudi judicial system.

15. (C) Wazan and Al-Barak explained that if a municipal council wanted the MAS to look at a particular issue, it would first have to send the request to the Rural Affairs and Municipalities Ministry (RAMM), which would decide whether the issue should be referred to the MAS. Al-Barak stressed

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that the municipal councils are concerned with basic government services provided within that municipality and the use of resources, mainly financial, within municipalities. Municipal councils focus on micro-level issues, whereas the MAS focuses on macro-level issues. Al-Barak lauded his good friend, RAMM Deputy Minister Prince Mansour bin Miteb, for his handling of the 2005 municipal council elections.

16. (C) Wazan stressed that Saudis and the SAG accept elections -- including the participation of women -- partly because the concept is part of the Islamic system. He cited a "hadith" about the women of Madina making a request of the Prophet, to which he asked who had elected them to represent all of the people of Madina. The women then asked the people to support the them (the women) in representing the people's views, which they were subsequently given. Al-Barak described the 2005 elections as a great achievement that gives Saudis greater confidence in the SAG and in their own abilities. He hoped that women will participate in the future, possibly achieving the right to vote in the 2009 elections. Both Wazan and Al-Barak stressed that there is nothing in Saudi law that prohibits women from voting, with Wazan declaring that women are not half of society but the whole of society. He said that it is not Islamic to hold negative views of women.

17. (C) Al-Barak stressed that the MAS appointed four women advisors in May 2006, and was looking to appoint two more in 2007. These women focus on petitions and laws that concern women, such as inheritance, property rights, dowries, and charities and other non-governmental organizations (NGO) (many charities are run by women or for women). He emphasized that not all of the women are from Riyadh. Al-Barak also stressed that when the King traveled to China, Malaysia, India, and Pakistan there were Saudi business women in the SAG delegation.

18. (C) DAS Barks-Ruggles mentioned the grant proposal from

the National Conference of State Legislatures (NCSL) for legislative branch capacity building in Saudi Arabia. Wazan and Al-Barak emphasized the need for technical -- not political -- assistance suitable to a parliamentary type system. They stressed the need for improved information systems, and welcomed the idea of discourse on committee structures and budgeting as they are involved in efforts to revamp the MAS committee structure. They also welcomed increased exchanges with the U.S. (NOTE: Ministers, not the MAS, write laws. The MAS reviews laws to ensure that they comply with Shari'a and can recommend changes to draft laws. The King decides whether to issue a law after consulting with his Council of Ministers and, if appropriate, other members of the royal family and religious leaders. However, MAS participants did note that through petitions,8 concerns of citizens could be raised directly by the MAS to either the King or the government ministries. END NOTE).

JUSTICE MINISTRY

¶9. (C) DAS Barks-Ruggles also met on September 13 with General Director for the Minister's Office Dr. Abdul Malik A. M. Al-Shaikh, Judge Sheikh Yussef Al-Faisal, and MoJ Legal Advisor Mohammad Almehizea. Judge Al-Faisal said that he had just visited the U.S. for twenty days on a international visitors program, which included lawyers, public prosecutors, and judges. He urged the USG to support exchanges between the U.S. and the KSA, saying that Saudi and American judges need to be exposed to each other's systems and practices. He noted especially the utility of visiting courts and seeing jury trials, as well as his interest in more information on training for professional staff and the use of technology by the U.S. judicial system. He said that any exchange of judges must be coordinated with the MFA, suggesting it would be best if Saudi judges visit the U.S. before U.S. judges visit the KSA. Dr. Al-Shaikh also said that, in terms of exchange visits, it would be better to include a mix of judges, prosecutors, lawyers, and law school professors, agreeing that an exchange between the U.S. Bar Association and the KSA Bar Association would be helpful.

¶10. (C) Dr. Al-Shaikh asked the USG to provide technical assistance in several areas: how an executive branch agency

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administers a judicial system, how to administer courts, and how the USG registers court decisions and statistics. He said the SAG needs information on the use of computers and control of documents, noting that the SAG just established a department to record court decisions. Additionally, MoJ's Statistics Department needs technical assistance. Dr. Al-Shaikh said that the SAG has a project on judicial automation and has so far automated two courts. Eventually, communication among courts at all levels will be electronic and they will be able to share files, track cases, and compile statistics based on subject matter. Lawyers will also have access to this electronic information. MoJ also expressed interest in the Center for Federal Judges and the U.S. Courts Administration -- its processes, procedures, how it serves the courts. Dr. Al-Shaikh said the SAG will visit Europe and the U.S., then compare how each system works.

¶11. (C) In addition, Dr. Al-Shaikh requested the construction of a dialogue8 program that could include judges, lawyers, academics and students to discuss comparative law systems -- including common law, the Napoleonic code, and Shari'a. He suggested that off-the-record symposia and roundtables -- perhaps sponsored by major law schools in both countries -- would be a way of moving such an initiative forward.

FOREIGN AFFAIRS MINISTRY

¶12. (C) In her MFA meetings, DAS Barks-Ruggles discussed various issues with Information Center Director HRH Prince Mohammed bin Saud bin Khalid Al-Saud, Ambassador Dr. Saleh Al-Khuhami, First Secretary of the International Organizations Department Abdulrahman Al-Rassi, and First Secretary of Human Rights Affairs in the International

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Organizations Department Abdullah M.N. Al-Rashidan. DAS Barks-Ruggles expressed USG appreciation for SAG efforts at the UAE Compact Meeting on Iraq and the meeting in New York City, and expressed appreciation for SAG support on Lebanon and its pledges of aid. Ambassador Al-Khuhami said that the SAG would like to work with the USG to resolve issues in Palestine and Iraq. DAS Barks-Ruggles also expressed U.S. concerns regarding the UN Human Rights Council (UNHRC), and requested Saudi leadership within the Organization of the Islamic Conference group to encourage constructive engagement to ensure the HRC does not become a politicized body no better than its predecessor. At both meetings, the Saudis raised alleged harassment of Saudis in the U.S., especially Homaidan Al-Turki, and alleged mistreatment of terrorist detainees at Guantanamo Bay, Cuba. DAS Barks-Ruggles urged the SAG to provide specifics regarding alleged mistreatment of Saudis in the U.S., and Al-Rassi promised to provide specifics to the U.S. Embassy in Riyadh. Prince Mohammed pointed out that the Strategic Dialogue should be able to resolve these kinds of issues.

¶13. (C) Turning to the NCSL proposal, Prince Mohammed suggested working through Saudi Ambassador to the U.S. Prince Turki. DAS Barks-Ruggles said that the NCSL plans to meet with Prince Turki in November and hopes to visit the KSA in ¶2007. She also explained that IFES is talking to municipal councils through Ambassador Prince Turki and is also hoping for a meeting in the KSA. DAS Barks-Ruggles also urged the SAG to do more, especially in terms of prosecutions, to fight trafficking in persons (TIP). She explained that the USG had conducted two TIP workshops in which SAG and USG representatives from foreign affairs, justice, labor, and law enforcement participated. These workshops provided information on how to work with source countries and improve recruitment systems. Al-Rassi stated that the KSA should be considered Tier 2 in terms of TIP instead of Tier 3. He claimed that the incorrect designation shows a lack of understanding of the KSA, emphasizing that there are over two and a half million people illegally in the KSA, including overstayers and many child beggars. The SAG, he insisted, is doing what it can to stop this illegal immigration.

-- UNHRC

¶14. (C) DAS Barks-Ruggles told Prince Mohammed that she had met with the Saudi Ambassador in Geneva regarding the UNHRC. She said some countries are trying to devolve the UNHRC into an EU and Western Bloc versus the Organization of Islamic

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Conference and. DAS Barks-Ruggles stressed to both Prince Mohammed and Ambassador Al-Khuhami that it is important for the UNHRC to focus on major human rights issues such as North Korea, Burma, and Darfur. She said that the UNHRC should also highlight positive developments such as Liberia. She warned them that the USG will decide by early 2007, whether it will be a candidate for the UNHRC. This decision depends on how the UNHRC functions between now and then. Prince Mohammed said that it is very important for the U.S. to be a member of the UNHRC. DAS Barks-Ruggles also said that the two Special Sessions have been unhelpful and pointed out that it is important for the UNHRC to avoid another imbalanced session aimed solely at Israel. She said that some progress has been made on Lebanon since July, thanking the SAG for its pledges of aid made at Stockholm, as well as its deposits with the Lebanese central bank. DAS Barks-Ruggles also conveyed that the UNHRC's universal peer review process must mean that each country is treated equally and NGOs must be able to provide

information used in this process.

-- Domestic Abuse

¶15. (C) DAS Barks-Ruggles said that she planned to discuss women's issues, such as the initiative on family safety, while in Jeddah on September 14. Prince Mohammed agreed that the SAG needs technical advice on how to open offices to treat victims of domestic abuse, saying the SAG has encouraged print media to carry stories of such abuse. Saudis can call the SAG or charities for help, he said; however, the SAG and charities are not always certain what to do to help these victims. He said there are many cases of abuse perpetrated by fathers and older male children in the family and noted that the Justice Ministry needs to write laws to protect family abuse victims. DAS Barks-Ruggles told Prince Mohammed that the National Society for Human Rights said it had been getting more complaints lately about family abuse, explaining how the police, Social Affairs Ministry, and social service providers need to be linked. She also pointed out that these complaints involve privacy and confidentiality issues. Prince Mohammed urged DAS

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Barks-Ruggles to meet with Labor Ministry Deputy Minister for Planning and Development Dr. Abdulwahed K. Al-Humaid on these issues, saying that Al-Humaid could get Saudi NGOs more engaged regarding domestic abuse.

-- Human Rights Report (HRR)

¶16. (C) Al-Rassi complained that the USG ignores information provided by the SAG in response to the HRR. He requested that the HRR reflect SAG views, actions, and information. DAS Barks-Ruggles explained that the HRR is a retrospective report on developments during a calendar year that reflects information from the previous calendar year. She assured the Saudis that the USG will correct any factual errors and that information in the HRR is verified, not taken from rumors and single sources. She further stated that, since 2001, the U.S. Congress has required a separate report on international religious freedom (IRF), even though this subject is also mentioned in the HRR, as well as a separate report on TIP.

¶17. (U) This cable has been cleared by DAS Barks-Ruggles.
OBERWETTER